

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: OHIO EXECUTION)	Case Number 2:11-CV-1016
PROTOCOL LITIGATION)	
)	Chief Judge Edmund A. Sargus, Jr.
THIS DOCUMENT RELATES TO:)	Magistrate Judge Michael R. Merz
)	
PLAINTIFF CLEVELAND JACKSON)	DEATH PENALTY CASE
)	EXECUTION DATE SET FOR
)	SEPTEMBER 13, 2018

**MOTION TO WITHDRAW TRIAL COUNSEL AND
APPOINTMENT OF NEW TRIAL COUNSEL**

Now comes the undersigned Attorney, John B. Gibbons, who respectfully moves this Honorable Court to enter an order permitting him to withdraw as Counsel and permit the appointment of Vicki Werneke, Assistant Federal Public Defender to be Trial Attorney for Plaintiff Jackson. Counsel, along with Attorney James Jenkins, represented Mr. Jackson in the District Court, before the Sixth Circuit Court of Appeals and before the U.S. Supreme Court on his Federal Habeas litigation. The undersigned Attorney has not been active in the instant litigation. Co-counsel James A. Jenkins was informed of the filing of this written motion to withdraw as counsel for Cleveland Jackson.

In the rush of other Court proceedings that the undersigned Counsel was involved in for the last several days, the undersigned Counsel misread the date of compliance as May 16, 2018 instead of May 14, 2018.

Attorney Werneke discussed with Plaintiff Jackson concerning this change in counsel. Plaintiff Jackson consents and joins the request.

Respectfully submitted,

/s/John B. Gibbons (per authorization)
John B. Gibbons, Esq. (0027294)
Attorney for Plaintiff, Cleveland Jackson
55 Public Square
Suite 2100
Cleveland, Ohio 44113
(216) 363-6086; Fax (216) 363-6075
Email: jgibbons4@sbcglobal.net

STEPHEN NEWMAN (OH 0051928)
Federal Public Defender

/s/ Vicki Ruth Adams Werneke
VICKI RUTH ADAMS WERNEKE
(OH 00088560)
Assistant Federal Public Defender
Capital Habeas Unit
Office of the Federal Public Defender
For the Northern District of Ohio
1660 W. 2nd Street, Suite 750
Cleveland, Ohio 44113
(216) 522-4856; (216) 522-1951 fax
Vicki_werneke@fd.org

CERTIFICATE OF SERVICE

A copy of the foregoing *Motion to Withdraw as Counsel for Plaintiff Cleveland Jackson* was filed electronically on this 15th day of May, 2018 upon all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Vicki Werneke
Vicki Ruth Adams Werneke